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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/632,262	08/01/2003	Eric Damery	1-23712	5499
21901	7590	05/17/2007		
SMITH HOPEN, PA 180 PINE AVENUE NORTH OLDSMAR, FL 34677			EXAMINER WILLIAMS, KEVIN D	
			ART UNIT 2854	PAPER NUMBER
			MAIL DATE 05/17/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/632,262	Applicant(s) DAMERY ET AL.	
	Examiner Kevin D. Williams	Art Unit 2854	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 February 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-7 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-7 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 01 August 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1, 2, 4 and 6 are rejected under 35 U.S.C. 102(b) as being anticipated by Breider (US 4,985,692).

With respect to claims 1, 2, and 4, Breider teaches a Braille display 4 having a plurality of Braille cells 4a,4b, comprising a mechanical connector (inherently present since module 6 is detachable; col. 2, lines 30-34) formed on said Braille display 4, a notetaker 1 for blind and low vision users, a mechanical connector (inherently present since module 6 is detachable; col. 2, lines 30-34) formed on said notetaker, said mechanical connector formed on said Braille display adapted to releasably engage said mechanical connector formed on said notetaker (inherent since module 6 is detachable), an electrical connector (inherent since cells 4a,4b display data generated on notetaker 1) formed on said Braille display, an electrical connector (inherent since cells 4a,4b display data generated on notetaker 1) formed on said notetaker, said electrical connector formed on said Braille display adapted to releasably engage (inherent; a wire connection from the notetaker 1 to the module 6 meets this limitation) said electrical connector formed on said notetaker, said electrical connector formed on

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said Braille display adapted to receive data from said electrical connector formed on said notetaker (inherent since cells 4a,4b display data generated on notetaker 1), said Braille display adapted to display said data, said electrical connector formed on said Braille display adapted to receive electrical power (col. 2, lines 30-34) from said electrical connector formed on said notetaker, and said Braille display including a port adapted to be connected to a personal computer 1 for receiving data to be displayed.

With respect to claim 6, Breider teaches in combination, a notetaker 1 for use by blind and low vision users, a Braille display 4 detachably mounted to said notetaker (col. 2, lines 31-34), said Braille display having at least one electrical connector (connection between 6 and 1) that engages said notetaker for providing power, data and control connections between said Braille display and said notetaker when said Braille display is connected to said notetaker.

3. Claims 1, 4, and 5 are rejected under 35 U.S.C. 102(b) as being anticipated by Becker (US 4,445,871).

With respect to claims 1, 4, and 5, Becker teaches a Braille display 2 having a plurality of Braille cells 3, comprising a mechanical connector 168 formed on said Braille display 2, a notetaker 4 for blind and low vision users, a mechanical connector 169 formed on said notetaker, said mechanical connector 168 formed on said Braille display adapted to releasably engage said mechanical connector 169 formed on said notetaker, an electrical connector 167a formed on said Braille display, an electrical connector 167 formed on said notetaker, said electrical connector 167a formed on said Braille display adapted to releasably engage said electrical connector 167 formed on said notetaker,

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said electrical connector formed on said Braille display adapted to receive data from said electrical connector formed on said notetaker, said Braille display adapted to display said data, and said Braille display including a port 167a adapted to be connected to a personal computer 1 for receiving data to be displayed, and said Braille display including a battery power source 57a.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 3 and 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Breider in view of Kerai (US 2002/0005707).

Breider teaches the claimed invention except for said electrical connector formed on said Braille display being a USB connector, said electrical connector formed on said notetaker being a USB connector adapted to releasably engage said USB connector formed on said Braille display, said Braille display USB connector adapted to receive both data to be displayed and electrical power from said notetaker through said USB connection, said notetaker including a battery that provides power to the Braille display when said Braille is connected to said notetaker.

Kerai teaches the use of a USB connection 2 as a conventional electrical connection for transferring data and power, and a notetaker including a battery (34; [0030]).

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It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Breider to have the USB connection and the battery as taught by Kerai, in order to make the device more portable.

6. Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Breider in view of Becker (US 4,445,871).

Breider teaches the claimed invention except for said Braille display including a battery power source 57a.

Becker teaches a Braille display including a battery power source.

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Breider to have the battery as taught by Becker, in order to ensure that the display always has a power source, irrespective of whether a particular notetaker is capable of providing power.

7. Claims 2 and 3 are rejected under 35 U.S.C. 103(a) as being unpatentable over Becker in view of Kerai.

Becker teaches the claimed invention except for said electrical connector formed on said Braille display being adapted to receive electrical power from said electrical connector formed on said notetaker, and said electrical connector formed on said Braille display being a USB connector, said electrical connector formed on said notetaker being a USB connector adapted to releasably engage said USB connector formed on said Braille display, said Braille display USB connector adapted to receive both data to be displayed and electrical power from said notetaker through said USB connection.

Kerai teaches the use of a USB connection 2 as a convention electrical connection for transferring data and power.

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Becker to have the USB connection as taught by Kerai, in order to provide a sufficient means for transferring power.

Remarks

8. Claim 1 is drawn to a Braille display. However, the body of the claim recites "a notetaker." According to the specification, the Braille display does not comprise a notetaker, therefore "the notetaker" is not a positive part of the invention in claim 1.

Response to Arguments

9. Applicant's arguments filed 2/16/2007 have been fully considered but they are not persuasive.

Applicant argues that Breider does not teach a notetaker. Applicant's claims do not define the term "notetaker." However, in applicant's arguments, page 5, lines 3-5, applicant describes a notetaker as "a special purpose portable computer which includes a Braille keyboard, or a QWERTY keyboard for inputting information which is stored in an internal memory. The examiner contends that Breider teaches a notetaker 1, since Breider discloses a special purpose portable computer 1 which includes a QWERTY keyboard for inputting information which is stored in an internal memory.

In addition, applicant argues that Breider does not teach mechanical and electrical connectors for mechanically and electrically connecting the display to the notetaker. The examiner respectfully disagrees. Breider discloses that the display 6

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can be detached from the notetaker 1. See column 2, lines 30-34. This teaching inherently discloses mechanical and electrical connectors. Even if the display is merely connected to the notetaker by a wire, such a wire would meet the limitations of mechanical and electrical connectors.

Conclusion

10. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

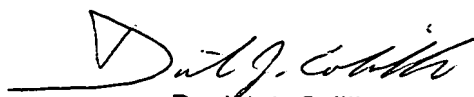
11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kevin D. Williams whose telephone number is (571) 272-2172. The examiner can normally be reached on Monday - Friday, 8:30am - 6:00pm.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Judy Nguyen can be reached on (571) 272-2258. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

KDW
May 11, 2007


Daniel J. Colilla
Primary Examiner
Art Unit 2854